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Review of ""The Penalty is Death:" U.S. Newspaper Coverage of Women's Executions" by Marlin Shipman.

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Book Review

Marlin Shipman, *"The Penalty is Death:" U.S. Newspaper Coverage of Women's Executions,* Columbia: University of Missouri Press, 2002.

Capital crime and its punishment have been sources of timeless fascination. Excavating the stories of women's executions as published in the American press in the nineteenth and twentieth century, Marlin Shipman compiles a useful set of historical narratives that spark a variety of invigorating questions. Rarely framing or addressing those questions himself, Shipman favors a straightforward reportorial methodology, lining up sources and data—in this case the reports of other reporters—allowing an occasional editorial observation, but leaving the interpretation and meaning-making up to others.

The story from which the book draws its title is emblematic of the other stories that fill the text. "The Penalty is Death" is the headline of the November 29, 1888 edition of the *Philadelphia Inquirer* which reported that a jury had rejected an insanity defense and convicted Sarah Jane Whiteling, a forty-year-old white woman, of the first-degree murder of her husband and two young children. Several months earlier, the *Inquirer* had reported that the bodies of Whiteling's family, exhumed by the police, revealed the presence of arsenic, that Whiteling had confessed, and that these were among "the most diabolical murders on record." Long before trial, the newspaper had carried a full text of the confession of "the murderess," also tagged "a fiend" and an "unnatural mother."

Whiteling's unsuccessful insanity defense was based on her "physical condition"—apparently, although never named in the press, menopause. Upon conviction, Whiteling covered her face and sobbed. Yet on the day of her execution, the *Inquirer* said that she walked calmly to the gallows, made no last statement other than an inaudible prayer, and "fell into the abyss of eternity." The execution story covered two full columns of print, divided into sections with titles such as "How She Spent the Morning," "The Eye-Witnesses Assembling," "In the Line to the Scaffold," "The Murderess Joins the Line Boldly," and "The Woman's Life and Crime." The reporter noted that Whiteling spent the morning of the execution in "religious exercises," named the hymns that were sung, and implied that Whiteling had repented and would be dispatched to a better world.

While the modesty of Shipman's book in providing significant detail, yet leaving it largely uninterpreted, can be viewed as a virtue, the reader of gripping tales like that of Sarah Jane Whiteling will likely long for more assistance in understanding them. What do we make of the book's welter of examples and details? What do they have to tell us about journalism, gender, and the cultural meaning of capital punishment? Readers who apply other bodies of knowledge to a careful reading of Shipman's retellings can help address these questions.

The gender stereotypes evident in the news stories of Whiteling's case are replicated in some form in virtually all of the cases Shipman details. This supports the view that the flip side of an ideology of special gender-based "protections" is particularly

harsh treatment of women in circumstances where those protections are withheld or withdrawn. Although some, including the *New York Times*, used gender stereotypes to oppose women's executions in the nineteenth and early twentieth century, others used the same stereotypes to justify executions. As in the Whiteling case, newspaper coverage of women's executions underscored cultural expectations that white women were kindly, passive, virtuous caretakers and that violations of these expectations served to aggravate the crime of murder to the extent that execution seemed utterly appropriate. According to the 1905 *Burlington Daily Free Press*, when Mary Rogers killed her husband, she "unsexed" herself, and might have been spared "had there been one spark of womanliness in her."

A woman's execution became easier for the public to endorse once the press, like the prosecution, had de-feminized the defendant, often ignoring evidence of abusive treatment by her husband, master, or employer while commenting unfavorably, in various examples Shipman provides, on her size (e.g. "corpulent"), her attire (e.g. she wore "a gray artificial-silk dress, loose and poorly fitting"), and her facial features (e.g. "her chin sharp and prominent, her lips thin and her forehead retreating"). In other words, the violation of feminine cultural norms that made women's capital cases especially newsworthy is also what made them deathworthy. The execution of women enforced law and gender, and press accounts affirmed the legitimacy of both.

Shipman's collection of stories demonstrates that standard execution coverage from the nineteenth century to the present had a number of notable features. First, the

story is presented as a drama in three parts: the crime, the trial, and the execution, its inherent dramatic tension rising toward the final punishment. Second, hyperbole such as "one of the most cold-blooded murders known in history or fiction" was frequently injected into the story. Third, wherever possible, lurid details of sex, violence, and death were offered, with graphic descriptions of the exhumations serving that titillating purpose in the Whiteling story. Fourth, the drama might include, as Whiteling's coverage did, a biographical examination of the condemned's descent into violence. Fifth, if the evidence, as in Whiteling's case, contained a confession to the murder, the press frequently printed it verbatim, regardless of its impact on subsequent adjudication.

Finally, the coverage of Whiteling's hanging also adhered to the standard genre when it offered elaborate accounts of the condemned's last hours, alternating between details of the physical realm, such as last meals, and the spiritual realm, such as hymns and prayers. This genre also favored reports of the procession to the gallows, the scene at the scaffold, and the words spoken by the public officials or the clergy in attendance, with the last words of the condemned climaxing the drama. This narrative pattern recurs in story after story.

Left unexplored in Shipman's book is an explanation of how these features came to comprise conventional journalistic practice. Fortunately, other scholars have mined this fascinating territory (Daniel A. Cohen, *Pillars of Salt, Monuments of Grace* [Oxford, 1993]), returning us to Puritan New England in which seventeenth century presses were controlled by the Puritan clergy who sought to publish that which affirmed their religious

authority. Obsessed with interpreting public occurrences such that God's plan and the value of religious piety would be made manifest, these clerics produced semi-journalistic narratives of current events. While the teleological themes were always clear—that these events were the work of divine providence--they were sometimes left implicit if only because they were self-evident. This was especially the case with recurring communal events like executions, which had an obvious providential meaning and thereby provided a superb evangelical vehicle.

Prominent ministers such as Increase Mather and Cotton Mather would use the Sunday preceding an execution to sermonize on capital cases, then spiritually guide the condemned to confession and repentance as the execution approached, join the prisoner's cortege on the walk to the gallows, preach there to the assembled masses, and encourage the condemned prisoner to utter the last words of a penitent that they might serve as a lesson to others. Soon thereafter the execution sermons were available as printed pamphlets that they might leave a more lasting impression. Over time supplementary materials were appended--factual accounts of crimes and trials, confessions by the defendant, biographical information, dialogues between the minister and the defendant, and the last words of the condemned—that became literary genres in their own right and ultimately supplanted the execution sermon itself as a source of information about capital cases.

Having cultivated in readers a sense of the importance of attending to public events, notably executions, the Puritan clergy lost the monopoly on their cultural meaning

as America became more diverse. Yet the empirical style of reporting on executions and other events that had served the Puritan authorities well was adaptable to a world of contested ideologies. Originally intended as religious indoctrination, execution stories found their way into the first colonial newspapers, then the penny press of the mid-nineteenth century, and though transformed by a changing American culture, still echo in the newspaper coverage Shipman recounts. Extending Shipman's slice of journalism history backwards in time, we can understand more deeply both the substantive and the stylistic roots of the journalistic conventions that he highlights and marvel at the enduring legacy of the religious culture of early New England.

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